

### Remarks

Claims 1-10 are pending. The disclosure was objected to because the equations were not numbered, and there was a missing parentheses in the fourth equation. These have been corrected in the amendments to the specification above. It is submitted that these amendments overcome the objections and withdrawal of these objections is requested.

The drawings were objected to and have been addressed above in the Amendments to the Drawings.

Claim 5 was rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. A high order polynomial is anything beyond the first order. This has been clarified in the specification and claim 5. As the definition of a high order polynomial is the ordinary and common meaning, this clarification does not introduce new matter. It is submitted that this amendment overcomes the rejection and withdrawal of the rejection is requested.

Claims 1-4 and 7-8 are rejected under 35 USC 102(b) as being anticipated by Taguchi (US Patent No. 5,937,232).

Taguchi allows a user to alter the color processing of an image by the user selecting the transform directly. The user does not have any idea what effect the selection will have on downstream processing.

In contrast, the transform selection in claims 1 and 8 is done by the color image processing device, based upon the user input, but is selected to prevent adverse effects in further processing.

Claims 1 and 8 have been amended to more clearly state that the actual selection of the transform is made automatically and done so to prevent adverse effects in further processing. These amendments are supported in the specification on page 3, lines 25-30 and page 5, lines 19-28.

Claims 2-4 and 7 depend from claim 1 and inherently include all of the limitations of the base claim. As discussed above, the prior art does not teach the limitations of the base claim much less the further embodiments of the dependent claims. It is therefore submitted that claims 2-4 and 7 are patentably distinguishable over the prior art and allowance of these claims is requested.

Claims 5-6 are rejected under 35 USC 103(a) as being unpatentable over Taguchi in view of Stenzel (US Patent No. 5,737,032).

As discussed above, Taguchi does not teach all of the limitations of the base claim 1, much less the further embodiments of the dependent claims 5 and 6. Stenzel does not overcome this deficiency. It is therefore submitted that claims 5 and 6 are patentably distinguishable over the prior art and allowance of these claims is requested.

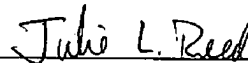
Claims 9-10 are rejected under 35 USC 103(a) as being unpatentable over Taguchi in view of Metz (US Patent No. 5,666,293).

As discussed above, Taguchi does not teach all of the limitations of the base claim 8, much less the further embodiments of the dependent claims 9 and 10. Stenzel does not overcome this deficiency. It is therefore submitted that claims 9 and 10 are patentably distinguishable over the prior art and allowance of these claims is requested.

No new matter has been added by this amendment. Allowance of all claims is requested. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

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